

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7081 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

M C MERWAHA SUPDT ENGINEER

Versus

GUJARAT ELECTRICITY BOARD

Appearance:

None present for Petitioner

MR MD PANDYA for Respondents No.1 & 2

None present for other Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 04/12/97

ORAL JUDGEMENT

#. The matter was called out for hearing in the first round, then in the second round and lastly in the third round but none put appearance for the petitioner. Heard learned counsel for respondents No.1 and 2 and perused the Special Civil Application.

#. The petitioner made a grievance in this Special Civil Application for direction to the respondents No.1 and 2

to promote him to the post of Additional Chief Engineer and place him above the respondents No.3 to 6 with anterior date with all the benefits of promotion.

#. These respondents appears to have been promoted on the post of Additional Chief Engineer in February 1985. The learned counsel for respondents No.1 and 2 made a statement before this Court that the petitioner has been given promotion after filing of this Special Civil Application on the post of Additional Chief Engineer under the order dated 5.8.86, thereafter under the order dated 12.9.88, he was promoted to the post of Chief Engineer and then under the order dated 13th May 1993, he was promoted to the post of Executive Director and he retired from the said post on 9th December 1995. In view of the facts aforesaid, the grievance made by petitioner in this Special Civil Application may not survive and the absence of learned counsel for the petitioner also supports what I have stated above.

#. In the result, in view of the statement made by learned counsel for respondents No.1 and 2, now nothing survives in this Special Civil Application and it has become infructuous. In the result, this Special Civil Application is dismissed as having become infructuous. Rule discharged. Interim relief, if any, granted by this Court, stands vacated. No order as to costs.

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(sunil)